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2 P.O.Box 1905  
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3 In Pro se

**FILED**

AUG 15 2019

SUSAN Y. SOONG  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

4  
5 UNITED STATES DISTRICT COURT  
6 NORTHERN DISTRICT OF CALIFORNIA

7 SHIKEB SADDOZAI

Case No. C-18-05558 BLF(PR)

8 Plaintiff,

DECLARATION IN SUPPORT OF

9 v.

PLAINTIFF'S MOTION FOR THE

10 CLAWSON

APPOINTMENT OF COUNSEL

11 Defendnants.

12  
13  
14  
15 SHIKEB SADDOZAI states:

- 16  
17 1. I am the plaintiff in the above entitled case. I make  
18 this declaration in support of my motion for this  
appointment of counsel, and that I am incarcerated.
- 19 2. The complaint in this case alleges the plaintiff was  
20 subjected to deliberate indifference to serious medical  
21 needs by multiple correctional officers. Medical condition  
disabled the plaintiff and interfered with daily activities,  
22 and in the existence of chronic, and substantial  
23 pain. Each defendant at all times acted under color of  
state law, whom are related in case matters arise out of  
the same transaction, occurrence, or series of transactions  
or occurrences (Fed.R.Civ.P. 20(a)(2).) on the following:

- 24  
25 A. Threatened and or issued plaintiff false disciplinary  
26 actions to deprive plaintiff privileges that would

1 prevent initiating civil and criminal actions, while  
2 plaintiff is on direct appeal during active legal cases  
3 and deadlines.

4 B. Correctional officers threatened plaintiff with violence  
5 with intent to cause physical injury out of retaliatory  
6 and discriminatory animus, racially motivated and criminal  
7 in nature.

8 C. Conducted cell searches on plaintiff as calculated harass-  
9 ment, unrelated to prison/jail needs, to review and  
10 destroy plaintiff's legal/confidential documents to prev-  
11 ent plaintiff from prosecuting legal actions.

12 D. Correctional officer(s) liable out of deliberate ind-  
13 difference failed to protect plaintiff, without warning  
14 discharged, and fired his weapon, shooting plaintiff on the  
15 back, inflicted serious bodily injury, while being the victim  
16 rather than the four intended targets whom failed to  
17 comply and continued to beat and batter plaintiff as a  
18 result of correctional officers intentional negligence.

19 E. Correctional officers repeatedly canceled/rejected  
20 plaintiff's complaints, and threatened to restrict plain-  
21 tiff's due process rights to complain to prevent plain-  
22 tiff from complying with the exhaustion of administrative  
23 remedies and to continue aiding officers persistent  
24 pattern of abuse and mistreatment against plaintiff.

25 3. Plaintiff alleges other correctional officers of whom watch-  
26 ed and failed to intervene, while supervisory officials  
27 were aware of violent propensities of some of the officers  
and are liable for failing to take action to control them,  
who were in charge of operating facility and provide medical  
services to prisoners, carrying out the policy and practice  
that led to the violation of the plaintiff's rights secured  
by the constitution or laws of the United States. Plaintiffs  
verified complaints filed were repeatedly ignored, and  
supervisory officials failed to react while being aware of  
ongoing abuse and mistreatment by subordinate officers, nor  
attempts were made to remedy problems.

1 4. This is a complex case because it contains several differ-  
2 ent legal claims, with each claim involving a different  
3 set of defendants.

4 5. The case involves medical issues and or technical mental  
5 health issues that may require expert testimony.

6 6. The plaintiff has demanded a jury trial, which requires  
7 much greater legal skills than the plaintiff has or can  
8 develop.

9 7. The case will require discovery of documents and deposit-  
10 ions of a number of witnesses, and administrative files,  
11 plaintiff is not allowed to have while in custody.

12 8. The testimony will be in sharp conflict, since the plaintiff  
13 alleges he was subjected to a deliberate indifference  
14 to a serious medical needs by correctional officers, at  
15 all times acted under color of state law, some of whom  
16 actively beat other inmates in related case matters, and  
17 others whom watched and failed to intervene. There will be  
18 a genuine issue of material facts if proved at trial to  
19 support a judgment in plaintiffs favor.

20 9. The plaintiff is serving a life sentence with a direct  
21 appeal pending and has been denied access to legal mater-  
22 ials while in custody by prison officials, to frustrate,  
23 impede, interfere, and or prevent ability to investigate the  
24 facts of the case, for example, by locating and interview-  
25 ing other inmates who have been transferred or released  
26 where events occurred who were eyewitnesses to plaintiff's  
27 abuse and mistreatment, denial of medical care, threats of  
violence, discrimination, sexual harassment, racism, and  
retaliation by deliberately confiscating plaintiff's  
legal materials and correspondence to obstruct plaintiff's  
access to the courts from initiating a civil suit.

10. The plaintiff has only a high school education and no  
legal education, making it beyond his ability to compre-  
hend.

1 11. As set for in the "MEMORANDUM OF LAW IN SUPPORT OF  
2 PLAINTIFF'S MOTION FOR THE APPOINTMENT OF COUNSEL"  
3 submitted with this motion, these facts, along with the  
4 legal merit of plaintiff's claims, support the appoint-  
5 ment of counsel to represent the plaintiff.

6 WHEREFORE, the plaintiff's motion for appointment of counsel  
7 should be granted. Pursuant to 28 U.S.C § 1746, I declare  
8 under penalty of perjury that the foregoing is true and  
9 correct.

10 Signed this 8 day of August 2019

11 A. Adcoze

12 Plaintiff